

**BEFORE THE ARIZONA MEDICAL BOARD**

In the Matter of

**MANISH JAGDISHCHANDRA PATEL,  
M.D.**

Holder of License No. 29685  
For the Practice of Allopathic Medicine

In the State of Arizona.

**Case No. MD-15-0759A**

**INTERIM CONSENT AGREEMENT  
FOR PRACTICE RESTRICTION**

**INTERIM CONSENT AGREEMENT**

Manish Jagdishchandra Patel, M.D. ("Respondent") elects to permanently waive any right to a hearing and appeal with respect to this Interim Consent Agreement for Practice Restriction and consents to the entry of this Order by the Arizona Medical Board ("Board").

**INTERIM FINDINGS OF FACT**

1. The Board is the duly constituted authority for the regulation and control of the practice of allopathic medicine in the State of Arizona.

2. Respondent is the holder of License No. 29685 for the practice of allopathic medicine in the State of Arizona.

3. The Board initiated case number MD-15-0759A after receiving a report from the Physician Health Program ("PHP") Contractor that Respondent was in violation of his December 12, 2013 Stipulated Rehabilitation Agreement for 5 years of PHP monitoring ("SRA") due to non-payment for services. A response to the report of non-compliance was due July 3, 2015; however, no response was received.

4. On July 8, 2015, the PHP Contractor submitted an additional report of non-compliance indicating that Respondent admitting to drinking alcohol in further violation of his SRA.

1           5.     The aforementioned information was presented to the investigative staff, the  
2 medical consultant and the lead Board member. All reviewed the information and concur  
3 that the interim consent agreement to restrict Respondent's practice is appropriate.

4           6.     The investigation into MD-15-0759A is pending and will return to the Board  
5 promptly upon completion for review and action.

6                                   **INTERIM CONCLUSIONS OF LAW**

7           1.     The Board possesses jurisdiction over the subject matter hereof and over  
8 Respondent.

9           2.     Pursuant to A.R.S. § 32-1405(C)(25) the Executive Director has authority to  
10 enter into a consent agreement when there is evidence of danger to the public health and  
11 safety.

12          3.     Pursuant to A.A.C. R4-16-504, the Executive Director may enter into an  
13 interim consent agreement when there is evidence that a restriction is needed to mitigate  
14 imminent danger to the public's health and safety. Investigative staff, the Board's medical  
15 consultant and the Lead Board Member have reviewed the case and concur that an  
16 interim consent agreement is appropriate.

17                                   **INTERIM ORDER**

18           IT IS HEREBY ORDERED THAT:

19          1.     Respondent is prohibited from engaging in the practice of medicine in the  
20 State of Arizona as set forth in A.R.S. § 32-1401(22) until he applies to the Executive  
21 Director and receives permission to do so as stated in paragraph 2 below. Respondent  
22 may not request release from or modification of this Interim Consent Agreement for  
23 Practice Restriction until he has completed long-term residential treatment, a follow-up  
24 PHP assessment, and any recommendations that arise as a result of the treatment and  
25 assessment.

2. Once all of the terms and conditions of this Interim Consent Agreement have been met, Respondent may request, in writing, release and/or modification of this Interim Consent Agreement. The Executive Director, in consultation with and agreement of the Lead Board Member and the Chief Medical Consultant, has the discretion to determine whether it is appropriate to release Respondent from this Interim Consent Agreement.

3. The Board retains jurisdiction and may initiate new action based upon any violation of this Interim Consent Agreement, including, but not limited to, summarily suspending Respondent's license.

4. Because this is an Interim Consent Agreement and not a final decision by the Board regarding the pending investigation, it is subject to further consideration by the Board. Once the investigation is complete, it will be promptly provided to the Board for its review and appropriate action.

5. This Interim Consent Agreement shall be effective on the date signed by the Board's Executive Director.

DATED this 9 day of July, 2015.

ARIZONA MEDICAL BOARD

By Patricia E. McSorley  
Patricia E. McSorley  
Executive Director

## RECITALS

**Respondent understands and agrees that:**

1           1.     The Board, through its Executive Director, may adopt this Interim Consent  
2 Agreement, or any part thereof, pursuant to A.R.S. § 32-1405(C)(25) and A.A.C. R4-16-  
3 504.

4           2.     Respondent has read and understands this Interim Consent Agreement as  
5 set forth herein, and has had the opportunity to discuss this Interim Consent Agreement  
6 with an attorney or has waived the opportunity to discuss this Interim Consent Agreement  
7 with an attorney. Respondent voluntarily enters into this Interim Consent Agreement and  
8 by doing so agrees to abide by all of its terms and conditions.

9           3.     By entering into this Interim Consent Agreement, Respondent freely and  
10 voluntarily relinquishes all rights to an administrative hearing on the matters set forth  
11 herein, as well as all rights of rehearing, review, reconsideration, appeal, judicial review or  
12 any other administrative and/or judicial action, concerning the matters related to the  
13 Interim Consent Agreement.

14           4.     Respondent understands that this Interim Consent Agreement does not  
15 constitute a dismissal or resolution of this matter or any matters that may be currently  
16 pending before the Board and does not constitute any waiver, express or implied, of the  
17 Board's statutory authority or jurisdiction regarding this or any other pending or future  
18 investigations, actions, or proceedings. Respondent also understands that acceptance of  
19 this Interim Consent Agreement does not preclude any other agency, subdivision, or  
20 officer of this State from instituting civil or criminal proceedings with respect to the conduct  
21 that is the subject of this Interim Consent Agreement. Respondent further does not  
22 relinquish his rights to an administrative hearing, rehearing, review, reconsideration,  
23 judicial review or any other administrative and/or judicial action, concerning the matters  
24  
25

1 related to a final disposition of this matter, unless he affirmatively does so as part of the  
2 final resolution of this matter.

3 5. Respondent acknowledges and agrees that upon signing this Interim  
4 Consent Agreement and returning it to the Board's Executive Director, Respondent may  
5 not revoke his acceptance of this Interim Consent Agreement or make any modifications to  
6 it. Any modification of this original document is ineffective and void unless mutually  
7 approved by the parties in writing.

8 6. Respondent understands that this Interim Consent Agreement shall not  
9 become effective unless and until it is signed by the Board's Executive Director.

10 7. Respondent understands and agrees that if the Board's Executive Director  
11 does not adopt this Interim Consent Agreement, he will not assert in any future  
12 proceedings that the Board's consideration of this Interim Consent Agreement constitutes  
13 bias, prejudice, prejudgment, or other similar defense.

14 8. Respondent understands that this Interim Consent Agreement is a public  
15 record that may be publicly disseminated as a formal action of the Board, and that it shall  
16 be reported as required by law to the National Practitioner Data Bank.

17 9. Respondent understands that this Interim Consent Agreement does not  
18 alleviate his responsibility to comply with the applicable license-renewal statutes and rules.  
19 If this Interim Consent Agreement remains in effect at the time Respondent's allopathic  
20 medical license comes up for renewal, he must renew his license if Respondent wishes to  
21 retain his license. If Respondent elects not to renew his license as prescribed by statute  
22 and rule, Respondent's license will not expire but rather, by operation of law (A.R.S. § 32-  
23 3202), become suspended until the Board takes final action in this matter. Once the  
24  
25

1 Board takes final action, in order for Respondent to be licensed in the future, he must  
2 submit a new application for licensure and meet all of the requirements set forth in the  
3 statutes and rules at that time.

4 10. Respondent understands that any violation of this Interim Consent  
5 Agreement constitutes unprofessional conduct under A.R.S. § 32-1401(27)(r) ("[v]iolating a  
6 formal order, probation, consent agreement or stipulation issued or entered into by the  
7 board or its executive director under this chapter").

8   
9 MANISH JAGDISHCHANDRA PATEL, M.D.

DATED: 7/8/15

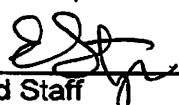
10  
11 EXECUTED COPY of the foregoing e-mailed  
12 this 9 day of July, 2015 to:

13 Manish Jagdishchandra Patel, M.D.  
14 Address of Record

15 Greenberg and Sucher, M.D.  
16 Address of Record

17 ORIGINAL of the foregoing filed  
18 this 9 day of July, 2015 with:

19 Arizona Medical Board  
20 9545 E. Doubletree Ranch Road  
21 Scottsdale, AZ 85258

22   
23 Board Staff  
24  
25